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PTO/SB/21 (08-00)

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

09/985,948

Filing Date

Nov. 6, 2001

First Named Inventor

Philip C. Ward et al.

Group Art Unit

1761

Examiner Name

Unassigned

Attorney Docket Number

78972.0023

ENCLOSURES (check all that apply)

- Fee Transmittal Form
- Fee Attached
- Amendment / Reply
- After Final
- Affidavits/declaration(s)
- Extension of Time Request
- Express Abandonment Request
- Information Disclosure Statement
- Certified Copy of Priority Document(s)
- Response to Missing Parts/ Incomplete Application
- Response to Missing Parts under 37 CFR 1.52 or 1.53

- Assignment Papers (for an Application)
- Drawing(s)
- Licensing-related Papers
- Petition
- Petition to Convert to a Provisional Application
- Power of Attorney, Revocation Change of Correspondence Address
- Terminal Disclaimer
- Request for Refund
- CD, Number of CD(s) _____

- After Allowance Communication to Group
- Appeal Communication to Board of Appeals and Interferences
- Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- Proprietary Information
- Status Letter
- Other Enclosure(s) (please identify below):

18 Referenced Documents

Remarks



29693

PATENT & TRADEMARK OFFICE

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm
or
Individual name

David J. Kulik; Reg. No. 36,576

Signature

Date

March 26, 2002

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Philip C. Ward *et al.*

Appl. No.: 09/985,948

Filed: Nov. 6, 2001

For: CONFECTIONARY PRODUCTS, LOW FAT CHOCOLATE AND CHOCOLATE-LIKE PRODUCTS AND METHODS FOR MAKING THEM

Art Unit: 1761

Examiner: Unassigned



Commissioner for Patents
Washington DC 20231

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INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Applicants submit herewith copies of the references listed on the attached PTO 1449 Form for consideration and request that the U.S. Patent and Trademark Office make them of record in this application.

Applicants state the following:

- Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement; or
- In accordance with 37 C.F.R. § 1.97(b), this Information Disclosure Statement is believed to be submitted prior to issuance of a first Office Action and/or within three months of the filing date of the application. It is respectfully submitted that no fee is required for consideration of this information. However, in the event any fee is deemed necessary, the Commissioner is authorized to charge the undersigned's Deposit Account No. 50-1129; or

No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of Applicants no item of information contained in this Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement; or

This Information Disclosure Statement is being submitted after the mailing of a non-final Office Action, but is believed to be prior to a final Office Action or a Notice of Allowance. Pursuant to 37 C.F.R. § 1.97(c), payment in the amount of \$180.00 as set forth in 37 C.F.R. § 1.17(p) is enclosed. The Commissioner is hereby authorized to charge any deficiency in the fees or charge any fee required to keep this application pending to our Deposit Account No. 50-1129.

While the information and references disclosed in this Information Disclosure Statement are submitted pursuant to 37 C.F.R. § 1.56, this submission is not intended to constitute an admission that any patent, publication or other information referred to is "prior art" to this invention. Applicants reserve the right to contest the "prior art" status of any information submitted or asserted against the application.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. § 1.56(a) exists. This Information Disclosure Statement is in compliance with 37 C.F.R. § 1.98 and the Examiner is respectfully requested to consider the listed documents and information.

Dated: March 26, 2002

Respectfully submitted,
WILEY REIN & FIELDING LLP

By: 
David J. Kulik Reg. No. 36,576

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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 2

Complete if Known

Application Number	09/985,948
Filing Date	Nov. 6, 2001
First Named Inventor	Philip C.Ward et al.
Art Unit	2034
Examiner Name	Unassigned
Attorney Docket Number	78972.0023

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Document Number Number - Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
A1	US- 4,545,997		10/08/1985	Wong et al.	
B1	US- 4,710,393		12/01/1987	Holmaren et al.	
C1	US- 5,190,786		03/02/1993	Anderson et al.	
D1	US- 5,425,957		06/20/1995	Gaim-Marsoner et al.	
E1	US- 5,464,649		11/07/1995	St. John et al.	
F1	US- 5,468,509		11/21/1995	Schlup et al.	
G1	US- H1527		04/02/1996	Moore	
H1	US- 5,505,982		04/09/1996	Krawczyk et al.	
I1	US- 5,532,022		07/02/1996	Miller et al.	
J1	US- 5,585,135		12/17/1996	Patterson et al.	
K1	US- 5,607,716		03/04/1997	Doherty et al.	
L1	US- 5,849,353		12/15/1998	Baker et al.	
M1	US-				
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Q1	US-				
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FOREIGN PATENT DOCUMENTS

Examiner Initials ¹	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T6
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
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¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449B/PTO		<i>Compl te if Known</i>	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		Application Number	09/985,948
(use as many sheets as necessary)		Filing Date	Nov. 6, 2001
Sheet	2	of	2
		First Named Inventor	Philip C.Ward et al.
		Group Art Unit	2034
		Examiner Name	Unassigned
		Attorney Docket Number	78972.0023



INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 2 of 2

Sheet 2 of 2

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